

This motion is DENIED as moot. It is so ORDERED. ENTER: 07/31/2017

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
CHARLESTON DIVISION



JOSEPH R. GOODWIN
UNITED STATES DISTRICT JUDGE

IN RE: ETHICON, INC. PELVIC REPAIR
SYSTEM PRODUCTS LIABILITY LITIGATION

MDL NO. 2327

THIS DOCUMENT RELATES TO THE CASE(S)
LISTED ON THE EXHIBITS ATTACHED
HERETO:

JOINT MOTION TO DISMISS CERTAIN DEFENDANTS WITH PREJUDICE

Plaintiffs in the cases listed on the attached Exhibits A-B and Defendants Sofradim Production SAS,¹ Tissue Science Laboratories Limited,² and Covidien LP³ (collectively the “Covidien entities”) and C. R. Bard, Inc., to the extent they are named as Defendants, advise the Court that they have compromised and settled all claims between them in these actions, including all counterclaims, cross-claims and third party claims.

Accordingly, Plaintiffs, the Covidien entities and Bard jointly move the court to dismiss the Covidien entities and Bard (where named) with prejudice in the cases listed on the attached Exhibits A-B, with each party to bear its own costs.

¹ Sofradim Production SAS includes any incorrect or incomplete spellings of this Defendant, including Sofradim Corporation, Sofradim Corp., Sofradim Production, and Sofradim Production, SAS.

² Tissue Science Laboratories Limited includes any incorrect or incomplete spellings of this Defendant, including Tissue Sciences Laboratories, Tissue Science Laboratories Ltd., Tissue Science Laboratories, Inc., Tissue Science Laboratories, Limited and Tissue Science Laboratories, Ltd.

³ Covidien LP includes any incorrect or incomplete spellings of this Defendant, as well as any improperly named affiliates of this defendant, including Covidien Holding, Inc., Covidien Inc., Covidien Incorporated, Covidien International Finance, SA, Covidien LLC, Covidien Ltd., Covidien Trevoux, SCS, Covidien plc, Covidien, Inc., Covidien, LLC, and Covidien, PLC, Tyco Healthcare Group LP, TYCO Healthcare, Tyco Healthcare Group, L.P., Tyco International Ltd, United States Surgical Corporation, United States Surgical Corp., Floreane Medical Implants SA, Floreane Medical Implants, SA, Mareane, SA, Mareane SA, Medtronic PLC, International Technology, Inc., Medtronic MiniMed, Inc., Medtronic Puerto Rico Operations Co., Medtronic Sofamor Danek USA, Inc., Medtronic Sofamor Danek, Inc., Medtronic Sofamor Danek, USA, Inc., Medtronic USA, Inc., Medtronic, Inc. and Medtronic, Inc.

The settlements in the cases listed on Exhibits A-B relate only to the Covidien entities and Bard. Because other Defendant(s) remain in the cases listed on Exhibits A-B, the case(s) should remain open and Plaintiffs will continue to prosecute their claims against any remaining defendants.

Respectfully submitted this 5th day of June, 2017.

/s/ Micah L. Hobbs

Micah L. Hobbs

mhobbs@shb..com

Devin K. Ross

dkross@shb.com

Deborah A. Moeller

dmoeller@shb.com

SHOOK, HARDY & BACON L.L.P.

2555 Grand Boulevard

Kansas City, MO 64108

Phone: 816.474.6550

Fax: 816.421.5547

Counsel for Covidien Entities

/s/ Jason Edward Ochs

Jason Edward Ochs

OCHS LAW FIRM

323 South David Street

Casper, WY 82601

307.234.3239

Fax: 307.235.6910

Email: jason@ochslawfirm.com

Counsel for Plaintiffs listed on Exhibit A

/s/ Richard B. North, Jr.

Richard B. North, Jr.

richard.north@nelsonmullins.com

Melissa Foster Bird

melissa.fosterbird@nelsonmullins.com

NELSON MULLINS RILEY & SCARBOROUGH

L.L.P

P.O. Box 1856

Huntington, WV 25719-1856

Phone: 304.526.3500

Fax: 304.526.3599

Counsel for C.R. Bard, Inc.

/s/ Matthew J. Skikos

Matthew J. Skikos

SKIKOS CRAWFORD SKIKOS & JOSEPH

Suite 2830

One Sansome Street

San Francisco, CA 94104

415.546.7300

Fax: 415.546.7301

mskikos@skikoscrawford.com

Counsel for Plaintiffs listed on Exhibit B